

SO ORDERED.

SIGNED this 23 day of June, 2011.



**ROBERT E. LITTLEFIELD, JR.
CHIEF UNITED STATES BANKRUPTCY JUDGE**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK**

In Re: John C. Szumowski

Debtor(s)

**Address: 2484 Ridge Road
Scotia, NY 12302**

**Case No.: 10-12431
Chapter 13**

Hon. Robert E. Littlefield, Jr., U.S. Bankruptcy Judge

**ORDER APPROVING FORENSIC TESTING
AND DENYING MOTION FOR PROTECTIVE ORDER**

Coming before this Court on May 26, 2011, upon the Motion for Protective Order by BAC home Loans Servicing, LP (“BAC” or “Creditor”) by and through its attorney of record, Steven J. Baum, to quash the debtor, John C. Szumowski’s Request for Inspection and Forensic Testing of Original Documents dated March 16, 2010 (“Request”), and the creditor having appeared by Baum/Natalie in support of the motion, the debtor having appeared and opposed the motion by and through his attorney, Ronald J. Kim, and the United States Trustee’s Office having appeared, by Assistant United States Trustee, Lisa M. Penpraze, and the Chapter 13 Standing Trustee having appeared via Bonnie Baker, Counsel to the Trustee, and no other appearances having been made, and the Court having considered the merits of the Creditor’s

Motion and the Debtor's Opposition and Request, and after due deliberation of this Court, it is hereby:

ORDERED, that the Creditor's motion is denied; and it is further

ORDERED, that the forensic testing of all original documents in the Creditor's custody and control shall proceed and the Creditor shall provide all materials to the Debtor necessary and reasonable to accomplish this testing; and it is further ordered

ORDERED, that Debtor and Creditor shall cooperate in the conduct of the forensic testing to ensure that it proceeds in an efficient and expeditious manner and with reasonable safeguards to ensure the security and preservation of all original documents.

ON CONSENT:

/s/Lisa M. Penpraze/s/
Asst. United States Trustee

ON CONSENT:

/s/Bonnie Baker/s/
Chapter 13 Standing Trustee

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